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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

APR 27 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of) MM Docket No. 93-8
)
Implementation of Section 4(g))
of the Cable Television Consumer)
Protection Act of 1992)
)
Home Shopping Station Issues)

TO: The Commission

REPLY COMMENTS OF MILLER BROADCASTING, INC.
(KMCI-TV)

Miller Broadcasting, Inc. ("Miller" or "KMCI"), licensee of television broadcast station KMCI(TV), Lawrence, Kansas, through its attorney, submits these, its Reply Comments, in the captioned proceeding.

1. Miller filed Comments initially pursuant to the Commission's Notice of Proposed Rule Making in MM Docket No. 93-8, Implementation of Section 4(g) of the Cable Television Consumer Protection Act of 1992, 8 FCC Rcd., 660 (1993), setting forth cogent reasons why the Commission should confirm that television stations broadcasting Home Shopping Network programming should be considered to be operating in the public interest and should be subject to "must carry" regulations pertaining to local cable systems.

2. Numerous other participants in this proceeding, including Home Shopping Network, Channel 63, Inc. (Bloomington, IN), National Informercial Marketing Association, National Association of Black

Owned Broadcasters, Inc., Jovon Broadcasting Corporation, The National Association of Broadcasters, Reading Broadcasting (WTVE-TV), Reading, PA, Long Family Partnership (WHKY-TV), Hickory, North Carolina, Association of Independent Television Stations, Inc., Roberts Broadcasting (WHSL-TV), East St. Louis, IL, and Adell Broadcasting Corporation (WADL-TV), Mount Clemens, MI, have supported the position of Miller, to wit: that HSN broadcasting is in the public interest and that HSN stations should be subject to "must carry" provisions of the Cable Act.

3. Relatively insignificant opposing comments were filed by the Center for the Study of Commercialism which suggested that the Commission impose outer limits on commercialism and by Continental Cablevision, Inc. which would have the Commission separate issues of public interest from "must carry" and should reduce the time of Home Shopping Network broadcasting.

4. It is increasingly apparent that stations and

not exclusive; adherence to Commission regulations regarding issues confronting the respective communities and programs broadcast responsive to those issues are universal throughout the industry. Too, the required children's programming has been conscientiously broadcast by Miller and other stations, all in conformance with the Commission's current requirements.

5. The Commission should affirm in this proceeding that HSN stations in fact operate in the public interest, and that in order to survive economically, particularly in competition with network stations, they must be entitled to "must carry" provisions. Miller in particular, under the network guns of both Topeka and Kansas City, must rely upon HSN as a program source and a financial resource in order to survive as the only local station in Lawrence, Kansas. As set forth in its Comments, Miller provides the only localized programming for its service area. Were it not for the financial support provided by Home Shopping Network, and the audience provided by its programming, its financial existence would be seriously and perhaps permanently affected.

Respectfully submitted,

MILLER BROADCASTING, INC.

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